

ESTTA Tracking number: **ESTTA510736**

Filing date: **12/13/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	GOUVERNEMENT DE LA PRINCIPAUTE DE MONACO
Granted to Date of previous extension	02/20/2013
Address	Place de la Visitation MONACO (Principauté de Monaco), MC-98000 MONACO
Attorney information	Perla M. Kuhn Edwards Wildman Palmer LLP 750 Lexington Avenue New York, NY 10022 UNITED STATES trademark@edwardswildman.com Phone:212-912-2708

### Applicant Information

Application No	85293399	Publication date	10/23/2012
Opposition Filing Date	12/13/2012	Opposition Period Ends	02/20/2013
Applicant	YAROSLAV, PAKSIN 1965 South Ocean Drive, # 11-d HALLANDALE, FL 33009 UNITED STATES		

### Goods/Services Affected by Opposition

Class 033. All goods and services in the class are opposed, namely: Vodka
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### Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Geographic indication which, if used on or in connection with wine or spirits, identifies a place other than the origin of the goods	Uruguay Round Agreements Act section 2(9)
Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof	Trademark Act section 2(b)
Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is primarily geographically deceptively	Trademark Act section 2(e)(3)


misdescriptive	
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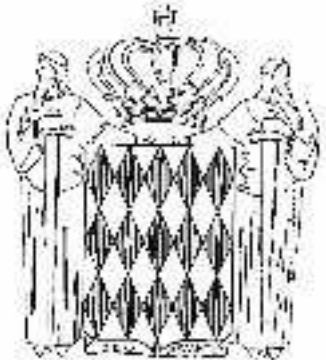
## Marks Cited by Opposer as Basis for Opposition

U.S. Application No.	89000312	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DEO JUVANTE		
Design Mark			
Description of Mark	EMBLEM OF THE GOVERNMENT OF THE PRINCIPALITY OF MONACO		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89001023	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	MUNICIPAL COAT-OF-ARMS		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		

U.S. Application No.	89000626	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority	NONE

		Date	
Word Mark	NONE		
Design Mark			
Description of Mark	The Grimaldi Spindle Shaped Shield in Silver and Gules		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89000625	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DEO JUVANTE		
Design Mark			
Description of Mark	STYLIZED COAT-OF-ARMS		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89000624	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DEO JUVANTE		

Design Mark	
Description of Mark	STYLIZED COAT-OF-ARMS
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:


U.S. Application No.	89000623	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DEO JUVANTE		
Design Mark			
Description of Mark	THE PRINCES'S FLAG		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89000622	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NATIONAL FLAG
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:


U.S. Application No.	89000621	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	THE PRINCE'S GROWN		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89000620	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	PERSONAL SEAL OF H.S.H. PRINCE RAINIER III OF MONACO
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:


U.S. Application No.	89000619	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RR		
Design Mark			
Description of Mark	MONOGRAM OF H.S.H. THE SOVEREIGN PRINCE		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		

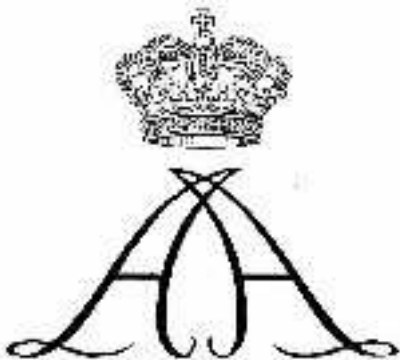
U.S. Application No.	89000606	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GG		

Design Mark	
Description of Mark	MONOGRAM OF H.S.H. THE PRINCESS GRACE OF MONACO
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:

U.S. Application No.	89000605	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RG		
Design Mark			
Description of Mark	MONOGRAM OF T.T.SS.HH. THE SOVEREIGN PRINCE AND THE PRINCESS GRACE OF MONACO		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89000604	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RG		


Design Mark	
Description of Mark	MONOGRAM OF TT.SS.HH. THE SOVEREIGN PRINCE AND THE PRINCESS GRACE OF MONACO
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:

U.S. Application No.	89000603	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	AA		
Design Mark			
Description of Mark	MONOGRAM OF H.S.H. PRINCE ALBERT THE HEIR APPARENT		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		


U.S. Application No.	89000602	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	CC		



Design Mark	
Description of Mark	MONOGRAM OF H.S.H. THE PRINCESS CAROLINE OF MONACO
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:

U.S. Application No.	89000601	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SS		
Design Mark			
Description of Mark	MONOGRAM OF H.S.H. THE PRINCESS STEPHANIE OF MONACO		
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:		

U.S. Application No.	89000600	Application Date	10/19/1982
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	MUNICIPAL COAT-OF-ARMS
Goods/Services	Class UNRN (International Class 001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 200, A, B). First use:

U.S. Application No.	79094390	Application Date	12/01/2010
Registration Date	NONE	Foreign Priority Date	06/02/2010
Word Mark	MONACO		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: Cameras, laboratory microscopes, resuscitation mannequins; apparatus and instruments for controlling electricity, namely, electrical switches, electric cables, batteries; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, blank recording disks; pre-recorded magnetic data carriers featuring music; pre-recorded recording disks featuring music; series of musical sound recordings; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, fire extinguishers</p> <p>Class 012. First use: Vehicles, namely, automobiles, motorcycles, bicycles baby carriages, baby strollers, cable cars, chair lifts, electric golf carts, go carts, grocery carts, light rail vehicles, horse drawn carriages, wheelchairs, wheel barrels, trolleys, airplanes</p> <p>Class 014. First use: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones; horological and chronometric instruments</p> <p>Class 016. First use: Printed matter, namely, posters greeting cards, post cards, photographs; adhesive glues for stationery or household purposes; artists' materials, namely, namely, sketch pads; chalk and blackboards; sealing stamps, wrapping paper; paintbrushes; plastic bags and bubble packs for packaging; Printing type; Printing blocks; decals and bumper stickers made of paper</p>		

	<p>Class 018. First use: Leather and imitations of leather, and goods made of these materials and not included in other classes, namely, book bags, purses, wallets, cases; Animal skins; trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery</p> <p>Class 025. First use: Clothing, namely, pants, shirts, coats, vests, jackets, dresses, suits, blouses, ties, bowties, shorts, overalls, unitards, leotards, socks, stocking, overcoats, raincoats, anoraks, caps, hats berets, scarves, head bands made of fabric, underwear, bathing suits, robes, nightgowns, pajamas, jeans, boots, shoes, slippers, sweaters, t-shirts, warm up suits, pant suits, evening gowns</p> <p>Class 028. First use: baseball, baseball mitts, footballs, soccer balls, golf clubs, golf balls, tennis rackets, tennis balls, electronic games, playing cards, board games, computer games, darts, badminton sets, toy swimming pool floats and rafts, toys, doll, trampolines, jump ropes, Christmas tree ornaments</p> <p>Class 035. First use: business consulting services, business management services, advertising services</p> <p>Class 038. First use: Telecommunication access services</p> <p>Class 039. First use: air transport, bus transport, train transport</p> <p>Class 041. First use: Educational services, namely, providing classes in the field of business management, domestic relations, animal grooming; providing information about education; entertainment services, namely, providing an on-line computer games</p> <p>Class 043. First use: Services for providing food and drink, namely, restaurants and bars, night clubs, catering; hotel services</p>
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Attachments	<p>89000312#TMSN.jpeg ( 1 page )( bytes )  89001023#TMSN.jpeg ( 1 page )( bytes )  89000626#TMSN.jpeg ( 1 page )( bytes )  89000625#TMSN.jpeg ( 1 page )( bytes )  89000624#TMSN.jpeg ( 1 page )( bytes )  89000623#TMSN.jpeg ( 1 page )( bytes )  89000622#TMSN.jpeg ( 1 page )( bytes )  89000621#TMSN.jpeg ( 1 page )( bytes )  89000620#TMSN.jpeg ( 1 page )( bytes )  89000619#TMSN.jpeg ( 1 page )( bytes )  89000606#TMSN.jpeg ( 1 page )( bytes )  89000605#TMSN.jpeg ( 1 page )( bytes )  89000604#TMSN.jpeg ( 1 page )( bytes )  89000603#TMSN.jpeg ( 1 page )( bytes )  89000602#TMSN.jpeg ( 1 page )( bytes )  89000601#TMSN.jpeg ( 1 page )( bytes )  89000600#TMSN.jpeg ( 1 page )( bytes )  79094390#TMSN.jpeg ( 1 page )( bytes )  Notice of Opposition 85293399.pdf ( 51 pages )(2798457 bytes )</p>
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Perla M. Kuhn/
Name	Perla M. Kuhn
Date	12/13/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/293,399

Filed on April 12, 2011

For the Mark MONACO WORLD'S MOST PRESTIGIOUS VODKA SINCE 1863

Published in the Official Gazette on October 23, 2012

Gouvernement de la Principaute de Monaco,  
Opposer,

-V-

Plaksin Yaroslav

Applicant.

Opposition No.:

BOX TTAB FEE

Assistant Commissioner for

Trademarks P.O. Box 1451

Alexandria, VA 22313-1451

## NOTICE OF OPPOSITION

Opposer, the Government of the Principality of Monaco (the “Principality”), having an address at Place de la Visitation, MC-98000, Monaco, (“Opposer”) believes that it would be damaged by registration of Application Serial No. 85/293,399 (the “Application”) for the trademark MONACO WORLD'S MOST PRESTIGIOUS VODKA SINCE 1863 & Design (“Applicant’s Mark”), filed by Plaksin Yaroslav ("Applicant"), and published in the Official Gazette on October 23, 2012, and hereby opposes the same.

As grounds for this Opposition, Opposer relies upon the rights developed by it, and alleges upon information and belief as follows:

### Opposer and Opposer's Marks

1. On October 19, 1982, pursuant to Article 6ter of the Paris Convention, the Principality of Monaco deposited seventeen federal trademark applications to protect various items of national insignia, including, *inter alia*, the emblem of the Principality of Monaco, the prince's flag, the prince's crown, and the grimaldi shield ("the Article 6ter designations"). Attached as Exhibit A are TESS records identifying the Article 6ter designations.

2. The United States transmitted no objections to the Article 6ter designations.

3. By virtue of its Article 6ter designations, Opposer in its sovereign capacity has standing to oppose the registration of Applicant's mark, as explained in more detail below.

4. On December 1, 2010, prior to Applicant's filing its Application, the Principality of Monaco filed a federal trademark application for the trademark MONACO in International Classes 9, 12, 14, 16, 18, 25, 28, 35, 38, 39, 41, and 43 (Application No. 79/094,390) and an application for the trademark MONTE-CARLO in International Class 12 (Application No. 79/094,336), both under Section 66(a) claiming a priority filing date of June 2, 2010. Attached as Exhibit B are TESS records showing status and title of the pleaded applications.

5. Opposer has a substantial interest in opposing the registration of Applicant's mark.

6. A timely request for extension of time to oppose Applicant's Application was filed by Opposer on November 9, 2012 and was approved by the Board.

#### **Applicant and Applicant's Mark**

7. Opposer hereby incorporates by reference the allegations in Paragraphs 1 through 6 hereof as if fully set forth herein.

8. Upon information and belief, Applicant is an individual having an address at 1965 South Ocean Drive, # 11-d, Hallandale, Florida, 33009, United States.

9. Upon information and belief, Applicant has no affiliation with the Principality of Monaco.

13. On April 12, 2011, Applicant filed its Application for “vodka” in International Class 33.

14. Applicant’s applied-for mark contains a design portion that resembles a Coat of Arms and depicts, *inter alia*: a red and golden crown; a helmet; a central pattern of red and white diamonds; a lion; a horse; and a banner containing the words “SINCE 1863” (hereinafter, “Applicant’s Coat of Arms”).

**Count I: False Connection with an Institution**

14. Opposer hereby incorporates by reference the allegations in Paragraphs 1 through 13 hereof as if fully set forth herein.

15. Applicant’s Mark consists of matter that may falsely suggest a connection with an institution, namely, the government of Monaco.

16. The government of Monaco qualifies as an institution, as the term “institution” in Section 2(a) is intended to have an expansive scope. See In re N. Am. Free Trade Ass’n, 43 USPQ2d 1282, 1285-86 (TTAB 1997).

17. Applicant’s Mark falsely suggests a connection with the government of Monaco by its: (1) incorporation of the word MONACO; (2) inclusion of the year 1863; and (3) use of a Coat of Arms that is visually similar to the emblem of the government of Monaco.

18. In 1863, Prince Charles III of Monaco established the Societe des Bains de Mer, a company that today owns the Monte Carlo Casino, the Opéra de Monte-Carlo, and the Hotel de Paris in Monte-Carlo. As Monaco is a constitutional monarchy, Prince Charles III’s establishment of this company in 1863 is necessarily tied to the government of Monaco.

19. Applicant's Coat of Arms is strikingly similar to the emblem and coat of arms of the government of Monaco, as depicted in Opposer's Article 6ter designation Nos. 89/000,312; 89/000,625; and 89/000,624. Both Applicant's Coat of Arms and Opposer's insignia include similar elements such as: (1) a gold and red crown on top of the design; (2) curtains, or the illusion of curtains, which cascade from the crown; (3) a red and white checked design in the center; (4) a figure on each side of the checked design; and (5) a "U"-shaped banner at the bottom of the design. A side-by-side comparison of Applicant's Coat of Arms and Opposer's related insignia is shown in Exhibit C.

20. Accordingly, Applicant's Mark is likely to deceive the public into believing that Applicant's goods are somehow affiliated with, associated with, connected to or sponsored by an institution, the government of Monaco, in violation of Section 2(a) of the Lanham Act.

21. If Applicant is permitted to register or use its mark, persons familiar with the nation of Monaco will be likely to purchase Applicant's goods, believing them to be affiliated or associated with, connected to or sponsored by the government of Monaco. Likewise, people exposed to Applicant's Mark who subsequently become acquainted with Opposer are likely to conclude that the goods and services offered by Opposer are in some manner affiliated, associated with, connected to, or sponsored by Applicant. Any such confusion as to connection inevitably would result in damage and injury to Opposer.

22. Opposer will be damaged by registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of its mark, and will give color of rights to Applicant in violation of Opposer's prior and common-law rights in the Article 6ter designations and in the MONACO name and mark.

### **Count II: Coat of Arms**



23. Opposer hereby incorporates by reference the allegations of Paragraphs 1 through 22 hereof as if fully set forth herein.

24. Applicant's Mark consists of or comprises the coat of arms of the foreign nation of Monaco, or is a simulation thereof.

25. Applicant's Coat of Arms is strikingly similar to the emblem and coat of arms of the government of Monaco, as depicted Opposer's Article 6ter designation Nos. 89/000,312; 89/000,625; and 89/000,624. Both Applicant's Coat of Arms and Opposer's insignia include similar elements such as: (1) a gold and red crown on top of the design; (2) curtains, or the illusion of curtains, which cascade from the crown; (3) a red and white checked design in the center; (4) a figure on either side of the checked design; and (5) a "U"-shaped banner at the bottom of the design. A side-by-side comparison of Applicant's Coat of Arms and Opposer's related insignia is shown in Exhibit B.

26. Accordingly, Applicant's Mark is in violation of Section 2(b) of the Lanham Act.

27. Opposer will be damaged by registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of its mark and will give color of rights to Applicant in violation of Opposer's prior and common-law rights in the Article 6ter designations and in the MONACO name and mark.

### **Count III: False Geographical Indication on Spirits**

28. Opposer hereby incorporates by reference the allegations of Paragraphs 1 through 27 hereof as if fully set forth herein.

29. Applicant's Mark consists of or comprises a geographical indication, namely, "Monaco," which, when used on or in connection with spirits, identifies a place other than the origin of the goods. Upon information and belief, Applicant first used its mark in connection

with spirits more than one year after the date on which the WTO Agreement entered into force with respect to the United States.

30. Upon information and belief, Applicant is an individual residing in Florida.

31. Upon information and belief, Applicant's goods do not originate in Monaco.

32. Accordingly, Applicant's Mark consists of a geographic indication that is not the place of origin of Applicant's spirits, and is in violation of Section 2(a) of the Lanham Act pursuant to the WTO Agreement.

33. Opposer will be damaged by registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of its mark, and will give color of rights to Applicant in violation of Opposer's prior and common-law rights in the MONACO name and mark.

**Count IV: Geographically Deceptively Misdescriptive**

34. Opposer hereby incorporates by reference the allegations of Paragraphs 1 through 33 hereof as if fully set forth herein.

35. Applicant's Mark consists of a term, namely, MONACO, that when used on or in connection with the goods of Applicant is primarily geographically deceptively misdescriptive of them.

36. Monaco is internationally known as a luxury vacation destination and for its entertainment and casino services—services which are generally associated with wines and spirits. As such, consumers would be likely to form the mistaken belief that Applicant's vodka originated in Monaco.

37. Accordingly, Applicant's Mark is likely to deceive the public into believing that Applicant's goods originate in or have a connection with Monaco, in violation of Section 2(e)(3) of the Lanham Act.

38. Opposer will be damaged by registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of its mark, and will give color of rights to Applicant in violation of Opposer's prior and common-law rights in the MONACO name and mark.

#### **Count IV: Likelihood of Confusion**

39. Opposer hereby incorporates by reference the allegations in Paragraphs 1 through 38 hereof as if fully set forth herein.

40. Applicant's Mark, as set forth in the Application, is highly similar in sight, sound, connotation, and commercial impression to Opposer's MONACO Mark. The additional words in Applicant's Mark, "WORLD'S MOST PRESTIGIOUS VODKA" and "SINCE 1863" are disclaimed. Accordingly, the element "MONACO" in Applicant's mark, the element shared with Opposer's MONACO mark, is the dominant element of the mark.

41. Applicant's Mark and Opposer's mark cover related goods and services. Applicant's Mark is for vodka in International Class 33. Opposer's MONACO application covers, *inter alia*, bars and night clubs in International Class 43. To the extent that the goods and services listed in Opposer's application for its MONACO mark do not directly overlap with the goods listed in the Application, they are closely related.

42. Applicant's choice to incorporate the word "MONACO" prominently within its mark, given that the Principality is not associated with Applicant, demonstrates Applicant's bad faith intent to confuse or deceive consumers by creating the false appearance of a connection or association with Opposer.

43. Applicant's choice to include the year 1863 in its mark, the year of establishment of the company that owns the Monte Carlo Casino, the Opéra de Monte-Carlo, and the Hotel de

Paris in Monte-Carlo, is a further deliberate attempt to deceive consumers into thinking that there is an association or connection between Applicant and Opposer.

43. Accordingly, Applicant's Mark is likely to cause confusion, mistake, or to deceive the public into believing that Applicant's goods are somehow affiliated or associated with, connected to, or sponsored by Opposer, in violation of Section 2(d) of the Lanham Act.

44. If Applicant is permitted to register or use its mark, there would be a likelihood of confusion as to the source of Applicant's goods, resulting in damage and injury to Opposer. Persons familiar with Opposer's MONACO mark will be likely to purchase Applicant's goods, believing them to be affiliated or associated with, connected to or sponsored by Opposer. Likewise, people exposed to Applicant's Mark who subsequently become acquainted with Opposer's MONACO mark are likely to conclude that the goods and services offered by Opposer under its mark are in some manner affiliated, associated with, connected to, or sponsored by Applicant. Any such confusion as to source or sponsorship inevitably would result in damage and injury to Opposer.

45. Opposer will be damaged by registration of Applicant's Mark because such registration will support and assist Applicant in the confusing and misleading use of its mark, and will give color of rights to Applicant in violation of Opposer's prior and common-law rights in the MONACO name and mark.

WHEREFORE, Opposer prays that this Opposition be sustained and that the application for registration of Applicant's Mark be in all respects denied.

Dated: New York, New York  
December 13, 2012

Respectfully submitted,  
  
EDWARDS WILDMAN PALMER LLP

By: /Perla M. Kuhn/

750 Lexington Avenue  
New York, New York 10022  
(212) 912-2708  
Attorney for Opposer

### **CERTIFICATE OF ELECTRONIC MAILING**

I hereby certify that the foregoing Notice of Opposition is being submitted electronically through the Trademark Trial and Appeal Board's ESTTA System on this 13<sup>th</sup> day of December, 2012.

/Varant Ekmekjian/  
Varant Ekmekjian

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing NOTICE OF OPPOSITION is being deposited with the U.S. Postal Service with sufficient postage as first class mail this 13<sup>th</sup> day of December, 2012 in an envelope addressed to Applicant's counsel of record at the following address:

Jerry D. Haynes  
The Law Office of Jerry D. Haynes  
12550 Biscayne Blvd., Suite 800 PMB 106  
North Miami, FL 33181

/Varant Ekmekjian/  
Varant Ekmekjian

# Exhibit A



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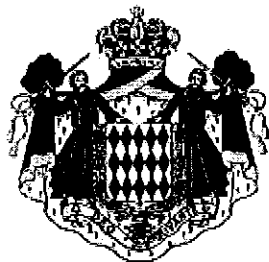
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TSDR

ASSIGN Status

TTAB Status

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Word Mark DEO JUVANTE

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Mark

Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

02.01.16 - Historical costumes (men wearing); Men, other wearing folk or historical costumes

Search Code

24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon

24.11.01 - Crowns closed at the top

26.07.13 - Diamonds, exactly two diamonds; Two diamonds

Serial

Number

89000312

Filing Date

October 19, 1982

Current

Basis

UNKNOWN

Original

Filing Basis

UNKNOWN

Owner

(APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO

Description



**of Mark** EMBLEM OF THE GOVERNMENT OF THE PRINCIPALITY OF MONACO  
**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
 24.01.05 - More than one shield or crest; Shields or crests (more than one)  
 24.11.02 - Crowns open at the top

**Serial Number** 89001023

**Filing Date** October 19, 1982

**Current Basis** UNKNOWN

**Original Filing Basis** UNKNOWN

**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark** Color is not claimed as a feature of the mark. MUNICIPAL COAT-OF-ARMS

**Register** PRINCIPAL

**Other Data**   ART. 6 TER PARIS CONVENTION - MONACO  
**Live/Dead  
Indicator**   LIVE

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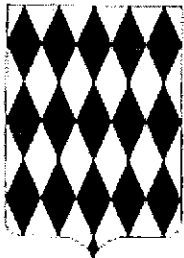
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**Mark Drawing Code**

(2) DESIGN ONLY

**Design**

24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon

**Search Code**

26.07.15 - Diamonds, four or more diamonds; Four or more diamonds

26.11.28 - Miscellaneous designs with overall rectangular shape; Rectangular shapes (miscellaneous overall shape)

**Serial Number**

89000626

**Filing Date**

October 19, 1982

**Current Basis**

UNKNOWN

**Original Filing Basis**

UNKNOWN

**Owner**

(APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark**

Color is not claimed as a feature of the mark. The Grimaldi Spindle Shaped Shield in Silver and Gules

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION - MONACO  
**Live/Dead Indicator** LIVE

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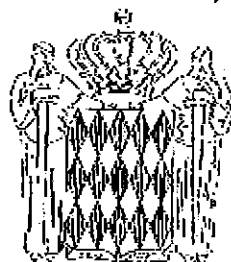
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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 02.01.04 - Buddha; Men, religious figures, men wearing robes, shepherds, monks and priests; Ministers; Monks; Priests; Rabbis; Religious men; Robes, men wearing; Shepherds  
 Search Code 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
 24.11.01 - Crowns closed at the top  
 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)  
 26.07.15 - Diamonds, four or more diamonds; Four or more diamonds

Serial Number 89000625

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE

PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark** Color is not claimed as a feature of the mark. STYLIZED COAT-OF-ARMS

**Register** PRINCIPAL

**Other Data** ART. 6 TER PARIS CONVENTION - MONACO

**Live/Dead Indicator** LIVE

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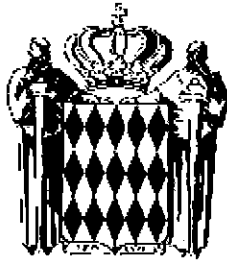
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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 02.01.04 - Buddha; Men, religious figures, men wearing robes, shepherds, monks and priests; Ministers; Monks; Priests; Rabbis; Religious men; Robes, men wearing; Shepherds

Search Code 23.01.01 - Epees; Foils; Rapiers; Sabers; Swords  
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
 24.11.01 - Crowns closed at the top  
 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)  
 26.07.15 - Diamonds, four or more diamonds; Four or more diamonds

Serial Number 89000624

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN



**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark** Color is not claimed as a feature of the mark. STYLIZED COAT-OF-ARMS

**Register** PRINCIPAL

**Other Data** ART. 6 TER PARIS CONVENTION - MONACO

**Live/Dead Indicator** LIVE

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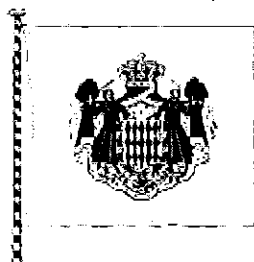
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Word Mark DEO JUVANTE

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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 02.01.16 - Historical costumes (men wearing); Men, other wearing folk or historical costumes  
 Search Code 23.01.01 - Epees; Foils; Rapiers; Sabers; Swords  
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
 24.09.01 - Flags, rectangular or square, excluding American flag or checkered flag  
 24.11.01 - Crowns closed at the top  
 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)  
 26.07.15 - Diamonds, four or more diamonds; Four or more diamonds

Serial Number 89000623

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark** Color is not claimed as a feature of the mark. THE PRINCES'S FLAG

**Register** PRINCIPAL

**Other Data** ART. 6 TER PARIS CONVENTION - MONACO

**Live/Dead Indicator** LIVE

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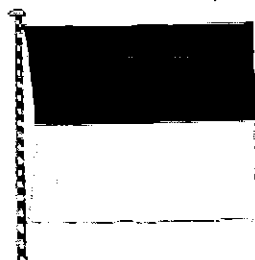
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**Mark Drawing Code** (2) DESIGN ONLY

**Design** 24.09.01 - Flags, rectangular or square, excluding American flag or checkered flag

**Search Code** 26.11.10 - Rectangles divided once into two sections

**Serial Number** 89000622

**Filing Date** October 19, 1982

**Current Basis** UNKNOWN

**Original Filing Basis** UNKNOWN

**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark** Color is not claimed as a feature of the mark. NATIONAL FLAG

**Register** PRINCIPAL

**Other Data** ART. 6 TER PARIS CONVENTION - MONACO

**Live/Dead  
Indicator** LIVE

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**Mark Drawing Code** (2) DESIGN ONLY

**Design** 24.11.01 - Crowns closed at the top

**Search Code** 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

**Serial Number** 89000621

**Filing Date** October 19, 1982

**Current Basis** UNKNOWN

**Original Filing Basis** UNKNOWN

**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

**Description of Mark** Color is not claimed as a feature of the mark. THE PRINCE'S GROWN

**Register** PRINCIPAL

**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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**Mark Drawing Code** (2) DESIGN ONLY

**Design** 02.01.23 - Armor (men wearing); Knights; Men, knights and other men in armor  
**Search Code** 02.09.17 - Humans, including men, women and children, depicted riding horses and other animals; Riding animals, humans  
 23.01.01 - Epees; Foils; Rapiers; Sabers; Swords  
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
 26.01.07 - Circles with a decorative border, including scalloped, ruffled and zig-zag edges

**Serial Number** 89000620

**Filing Date** October 19, 1982

**Current Basis** UNKNOWN

**Original Filing Basis** UNKNOWN

**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO



**Description of Mark** Color is not claimed as a feature of the mark. PERSONAL SEAL OF H.S.H. PRINCE RAINIER III OF MONACO  
**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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Word Mark RR

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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top

Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000619

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF H.S.H. THE SOVEREIGN PRINCE

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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Word Mark GG

Goods and Services IC 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 200 A B . US 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 046 047 048 049 050 051 052 100 101 102 103 104 105 106 107 200 A B . G & S: NO GOODS/SERVICES STATEMENT ON TRAM

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top  
 Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000606

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF H.S.H. THE PRINCESS GRACE OF MONACO

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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Word Mark RG

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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top  
 Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000605

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF TT.SS.HH. THE SOVEREIGN PRINCE AND THE PRINCESS GRACE OF MONACO

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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Word Mark RG

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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top  
 Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000604

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF TT.SS.HH. THE SOVEREIGN PRINCE AND THE PRINCESS GRACE OF MONACO



**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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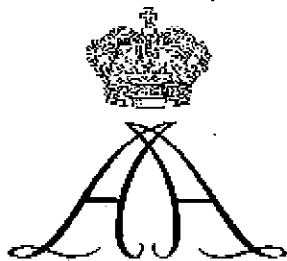
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Word Mark AA

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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top  
 Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000603

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF H.S.H. PRINCE ALBERT THE HEIR APPARENT

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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Word Mark CC

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Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top

Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000602

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF H.S.H. THE PRINCESS CAROLINE OF MONACO

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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Word Mark SS

Goods and Services IC 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 200 A B . US 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 046 047 048 049 050 051 052 100 101 102 103 104 105 106 107 200 A B . G & S: NO GOODS/SERVICES STATEMENT ON TRAM

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 24.11.01 - Crowns closed at the top

Search Code 24.13.02 - Cross, Greek (equal sides); Greek cross (equal sized lines)

Serial Number 89000601

Filing Date October 19, 1982

Current Basis UNKNOWN

Original Filing Basis UNKNOWN

Owner (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO MONACO MONACO

Description of Mark Color is not claimed as a feature of the mark. MONOGRAM OF H.S.H. THE PRINCESS STEPHANIE OF MONACO

**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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**Goods and Services** IC 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 200 A B . US 001 002 003 004 005 006 007 008 009 010 011 012 013 014 015 016 017 018 019 020 021 022 023 024 025 026 027 028 029 030 031 032 033 034 035 036 037 038 039 040 041 042 043 044 045 046 047 048 049 050 051 052 100 101 102 103 104 105 106 107 200 A B . G & S: NO GOODS/SERVICES STATEMENT ON TRAM

**Mark Drawing Code** (2) DESIGN ONLY

**Design Search Code** 02.01.16 - Historical costumes (men wearing); Men, other wearing folk or historical costumes  
 23.01.01 - Epees; Foils; Rapiers; Sabers; Swords  
 24.01.02 - Shields or crests with figurative elements contained therein or superimposed thereon  
 24.11.02 - Crowns open at the top

**Serial Number** 89000600

**Filing Date** October 19, 1982

**Current Basis** UNKNOWN

**Original Filing Basis** UNKNOWN

**Owner** (APPLICANT) GOVERNMENT OF THE PRINCIPALITY OF MONACO GOVERNMENT OF THE PRINCIPALITY OF MONACO

**Description of Mark** Color is not claimed as a feature of the mark. MUNICIPAL COAT-OF-ARMS



**Register** PRINCIPAL  
**Other Data** ART. 6 TER PARIS CONVENTION -MONACO  
**Live/Dead Indicator** LIVE

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# Exhibit B



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# MONACO

 Word Mark  
 Goods and  
 Services

MONACO

IC 009. US 021 023 026 036 038. G & S: Cameras, laboratory microscopes, resuscitation mannequins; apparatus and instruments for controlling electricity, namely, electrical switches, electric cables, batteries; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, blank recording disks; pre-recorded magnetic data carriers featuring music; pre-recorded recording disks featuring music; series of musical sound recordings; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, fire extinguishers

IC 012. US 019 021 023 031 035 044. G & S: Vehicles, namely, automobiles, motorcycles, bicycles baby carriages, baby strollers, cable cars, chair lifts, electric golf carts, go carts, grocery carts, light rail vehicles, horse drawn carriages, wheelchairs, wheel barrels, trolleys, airplanes

IC 014. US 002 027 028 050. G & S: Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones; horological and chronometric instruments

IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed matter, namely, posters greeting cards, post cards, photographs; adhesive glues for stationery or household purposes; artists' materials, namely, sketch pads; chalk and blackboards; sealing stamps, wrapping paper; paintbrushes; plastic bags and bubble packs for packaging; Printing type; Printing blocks; decals and bumper stickers made of paper

IC 018. US 001 002 003 022 041. G & S: Leather and imitations of leather, and goods made of these materials and not included in other classes, namely, book bags, purses, wallets, cases; Animal skins; trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery

IC 025. US 022 039. G & S: Clothing, namely, pants, shirts, coats, vests, jackets, dresses, suits, blouses, ties, bowties, shorts, overalls, unitards, leotards, socks, stocking, overcoats, raincoats, anoraks, caps, hats berets, scarves, head bands made of fabric, underwear, bathing suits, robes, nightgowns, pajamas, jeans, boots, shoes, slippers, sweaters, t-shirts, warm up suits, pant suits, evening gowns

IC 028. US 022 023 038 050. G & S: baseball, baseball mitts, footballs, soccer balls, golf clubs, golf balls, tennis rackets, tennis balls, electronic games, playing cards, board games, computer games, darts, badminton sets, toy swimming pool floats and rafts, toys, doll, trampolines, jump ropes, Christmas tree ornaments

IC 035. US 100 101 102. G & S: business consulting services, business management services, advertising services

IC 038. US 100 101 104. G & S: Telecommunication access services

IC 039. US 100 105. G & S: air transport, bus transport, train transport

IC 041. US 100 101 107. G & S: Educational services, namely, providing classes in the field of business management, domestic relations, animal grooming; providing information about education; entertainment services, namely, providing an on-line computer games

IC 043. US 100 101. G & S: Services for providing food and drink, namely, restaurants and bars, night clubs, catering; hotel services

**Standard  
Characters  
Claimed**

**Mark Drawing  
Code** (4) STANDARD CHARACTER MARK

**Serial Number** 79094390

**Filing Date** December 1, 2010

**Current Basis** 66A

**Original Filing  
Basis** 66A

**International  
Registration  
Number** 1069254

**Owner** (APPLICANT) GOUVERNEMENT DE LA PRINCIPAUTE DE MONACO Ministère d'Etat Gouvernement MONACO  
Place de la Visitation MC-98000 MONACO (Principauté de Monaco) MONACO

**Attorney of  
Record** Mark I. Peroff

**Priority Date** June 2, 2010

**Type of Mark** TRADEMARK. SERVICE MARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

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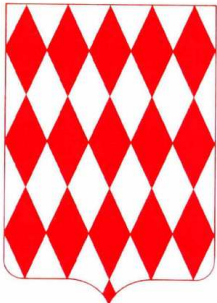
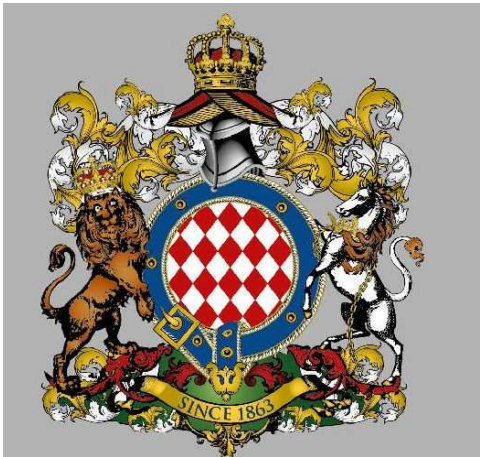


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# Exhibit C

**Comparison of MONACO WORLD'S MOST PRESTIGIOUS VODKA SINCE 1863 AND DESIGN (Serial No. 85/293,399) and marks in the name of Government of the Principality of Monaco**



<b>MONACO WORLD'S MOST PRESTIGIOUS VODKA SINCE 1863, Serial No. 85/293,399</b>	<b>Marks in the name of Government of the Principality of Monaco</b>
	<p>Serial No. 89/000,621</p>  <p>"The Prince's Crown" Filed October 19, 1982</p>

<p><b>MONACO WORLD'S MOST PRESTIGIOUS VODKA SINCE 1863, Serial No. 85/293,399</b></p>	<p><b>Marks in the name of Government of the Principality of Monaco</b></p>
	<p>Serial No. 89/000,626</p>  <p>“The Grimaldi Spindle Shaped Shield in Silver and Gules” Filed October 19, 1982</p>
	<p>Serial No. 89,000,312</p>  <p>“Emblem of the Government of the Principality of Monaco” Filed October 19, 1982</p>
	<p>Serial No. 79/094,390 MONACO Filed December 1, 2010</p>